

consist of estrogenic substance as it naturally occurs in, and is extracted from, gravid mare's urine.

**DISPOSITION:** July 18, 1949. Pleas of nolo contendere having been entered, the court imposed a fine of \$200 against the corporation and a fine of \$1 against the individual.

**2843. Misbranding of Boil-Tea Nettle Leaf, Alpha Tablets, Min-So Tablets, D. I. M. Tablets, Calci-Co Tablets, and Yugetun.** U. S. v. Lilly Deschauer (National Herb Co.), and Ethel C. Grover. Pleas of guilty. Fine of \$200 and costs against defendant Deschauer; imposition of sentence suspended against defendant Grover, who was placed on probation for 1 year. (F. D. C. No. 24277. Sample Nos. 15506-K to 15511-K, incl.)

**INFORMATION FILED:** September 29, 1948, Northern District of Illinois, against Lilly Deschauer, trading as the National Herb Co., Maywood, Ill., and Ethel C. Grover, manager of the business.

**ALLEGED SHIPMENT:** On or about September 26, 1947, from the State of Illinois into the State of Michigan.

**PRODUCT:** Analyses disclosed that the *Boil-Tea Nettle Leaf* consisted of dry, green leaf and stem fragments, containing, per gram, 1.14 mg. of iron and 29 mg. of calcium; that the *Alpha Tablets* consisted essentially of plant material, containing, per tablet, 1.1 mg. of iron and 1.7 mg. of calcium; that the *Min-So Tablets* contained, per 16 tablets, 7.3 mg. of iodine, 53 mg. of iron, and 545 mg. of calcium; that the *D. I. M. Tablets* contained, per 16 tablets, 3.6 mg. of iodine, 11.2 mg. of iron, 291 mg. of calcium, and 323 mg. of phosphorus and unidentified vegetable material, and combined sodium and magnesium; that the *Calci-Co Tablets* contained, per 16 tablets, 7.8 mg. of iodine, 6.1 mg. of iron, 475 mg. of calcium, and 384 mg. of phosphorus, together with combined sodium, potassium, magnesium, and chlorine; and that the *Yugetun* consisted of an aqueous solution of ammonium alum and plant material, sediment consisting chiefly of plant material, and a calcium content of 9.4 mg. per 100 cc.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the labeling, namely, in a booklet entitled "National Rainbow Booklet," which accompanied the articles, were false and misleading. These statements represented and suggested:

That the *Boil-Tea Nettle Leaf* would be efficacious in the treatment of boils and in the prevention of local infections, and that the *Alpha Tablets* would be efficacious in the treatment of obesity, whereas the articles would not be efficacious for such purposes;

That the *Min-So Tablets* would be efficacious in the cure, mitigation, and treatment of hardening of the arteries, arthritis, rheumatism, stiff joints, neuritis, acidosis, and kidney and bladder stones; that the article would be efficacious in the treatment and prevention of apoplexy and high blood pressure; that aging could be retarded by use of the article; and that when used in conjunction with vitamin C and another product known as "Yugetun," it would be efficacious in the treatment of varicose veins. The article would not be efficacious for the purposes represented; aging could not be retarded by its use; and when used in conjunction with vitamin C and *Yugetun*, it would not be efficacious in the treatment of varicose veins;

That the *D. I. M. Tablets* contained 273.74 calories per gram; that the article would be efficacious in the cure, mitigation, and treatment of diabetes; that

it would be efficacious to reduce and prevent hyperglycemia; that it would reduce and abolish glycosuria in diabetic patients; that it would be efficacious to heal wounds and to stabilize the blood sugar; that its use would enable diabetics to do without the use of insulin; and that there is a difference of opinion among qualified medical and nutritional experts with reference to the representations in the labeling as to the curative and therapeutic value of the article. The article contained less than 273.74 calories per gram; it would not be efficacious for the purposes represented; and there is no difference of opinion among qualified medical and nutritional experts with reference to the representations indicated;

That the *Calci-Co Tablets* would be efficacious in the cure, mitigation, and treatment of poor teeth, nervousness, rickets, stomach ulcers, stunted growth, flabby muscles, loss of blood coagulating power, tuberculosis, weak lungs, susceptibility to colds, weak heart, indigestion, irritability, sleeplessness, female troubles, malnutrition, anemia, acidosis, eczema, general run-down condition, asthma, and dropsy; that when used alone or in conjunction with vitamin C, the article would be efficacious in the cure, mitigation, and treatment of sinus trouble, and would be efficacious in purifying, enriching, and normalizing the blood stream; and that there is a difference of opinion among qualified medical and nutritional experts with reference to the representations in the labeling as to the curative and therapeutic value of the article. The article would not be efficacious for the purposes represented, and when used alone or in conjunction with vitamin C, it would neither be efficacious in the cure, mitigation, and treatment of sinus trouble, nor be efficacious in purifying, enriching, and normalizing the blood stream; and there is no difference of opinion among qualified medical and nutritional experts with reference to the representations indicated;

That the *Yugetun* would be efficacious in the cure, mitigation, and treatment of Bright's disease, frequent urination during day and night, albumin in urine, some fever, pain over the loins, dry tongue, progressive weakness, headaches, indigestion, puffiness under the eyes, shortness of breath, diseases of the blood, anemia, leukemia, syphilis, tuberculosis, symptoms of blood diseases, skin scratches, heart palpitation, flabby flesh, pale skin, a tired, listless, languid feeling, excessive weight, irritability, supersensitivity, disturbance in stomach gastric secretions, lack of aggressiveness and ambition, diseased tonsils and teeth and other disorders due to low resistance, chlorosis, lassitude, capricious appetite, indigestion, constipation, general run-down condition, underweight, amenorrhea, lack of healthy color in lips, eyelids, earlobes, and gums, lack of strength, dizziness, loss of appetite, yellow, waxy skin, and lead poisoning; and that the article when used in conjunction with *Min-So Tablets* and vitamin C, would be efficacious in the cure, mitigation, and treatment of symptoms of varicose veins. The article would not be efficacious in the cure, mitigation, and treatment of the aforesaid conditions; and when used in conjunction with *Min-So Tablets* and vitamin C, it would not be efficacious in the cure, mitigation, and treatment of symptoms of varicose veins.

DISPOSITION: Lilly Deschauer entered a plea of guilty in the United States District Court for the Northern District of Illinois, and on February 28, 1949, was fined \$200 and costs; Ethel C. Grover entered a plea of guilty in the United States District Court for the Southern District of California, and on

March 3, 1949, the court suspended the imposition of sentence and placed the defendant on probation for 1 year.

**2844. Misbranding of Raymond K. Auville's Ultra Natural Health Food Combination No. 4.** U. S. v. 3 Cartons \* \* \*. (F. D. C. No. 23902. Sample No. 6204-K.)

**LIBEL FILED:** November 7, 1947, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** During July 1947, by Raymond K. Auville, from Kerens, W. Va.

**PRODUCT:** 3 3-ounce cartons of *Raymond K. Auville's Ultra Natural Health Food Combination No. 4* at South Heights, Pa.

**LABEL, IN PART:** "Raymond K. Auville's Ultra Natural Health Food Combination No. 4—New Formula \* \* \* Contents: Approximate measurement of ingredients; wild cherry leaves, three parts; wild Indian heart leaves, one part; walnut leaves, one part; wild cherry bark, two parts; may apple root, one part; red root, one half one part; red root, trace; vine fern, one half one part; alum root, one half one part; prickly ash bark, trace."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the label statements "Health Food \* \* \* Natural Health Food \* \* \* nutritional aid for the naturalization of the blood stream" were false and misleading since the article would not maintain health in those who are healthy or restore health to those who are unhealthy, and it would not make natural the blood stream.

**DISPOSITION:** September 21, 1949. Default decree of condemnation and destruction.

**2845. Misbranding of Rocky Dell Water.** U. S. v. 104 Bottles, etc. (F. D. C. No. 27262. Sample No. 24775-K.)

**LIBEL FILED:** May 24, 1949, Southern District of Iowa.

**ALLEGED SHIPMENT:** By Rocky Dell Springs, Inc., from Woodman, Wis. The product was shipped on or about March 31, 1949, and a number of small leaflets were shipped in October 1947.

**PRODUCT:** 104 ½-gallon bottles of *Rocky Dell Water* at Davenport, Iowa, in possession of Harry B. Sulzer, together with 300 small leaflets entitled "Let Nature Help You," which were shipped as described above, and 600 large leaflets with the same title, which were printed locally for Mr. Sulzer.

**LABELING, IN PART:** (Leaflets) "Constituent Parts per Million Silica (SiO<sub>2</sub>) 14.90 Iron and aluminum oxides (Fe<sub>2</sub>O<sub>3</sub> and Al<sub>2</sub>O<sub>3</sub>) 0.60 Calcium (Ca) 49.02 Magnesium (Mg) 15.74 Sodium and Potassium (as sodium, Na) 4.50 Chloride (Cl) 2.75 Sulphate (SO<sub>4</sub>) 10.32 Nitrate (NO<sub>3</sub>) 2.83 Nitrate (NO<sub>2</sub>) None Phosphate (PO<sub>4</sub>) 0.24 Bicarbonate (HCO<sub>3</sub>) 322.5 Total hardness 187.1 Dissolved solids 271.0."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the small leaflets were false and misleading since they represented and suggested that the article would be efficacious in the cure, mitigation, and treatment of kidney and bladder trouble and many common ailments caused from such disorders, whereas the article would not be efficacious for such purposes. The article was misbranded in these respects when introduced and while in interstate commerce.